

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Jim Shockley, on February 16, 2011 at 3:30 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chair (R)
Sen. Ron Arthun, Vice Chair (R)
Sen. Joe Balyeat (R)
Sen. Anders Blewett (D)
Sen. Larry Jent (D)
Sen. Llew Jones (R)
Sen. Carmine Mowbray (R)
Sen. Jonathan Windy Boy (D)

Members Excused: None

Members Absent: None

Staff Present: Nadine Spencer, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 257, 2/9/2011; SB 284, 2/9/2011; SB 321, 2/14/2011; SB 328, 2/14/2011

Executive Action: SB 311, Do Pass As Amended; SB 113, Do Pass As Amended; SB 291; SB 284, Do Pass As Amended

HEARING ON SB 284

Opening Statement by Sponsor:

00:00:06 Sen. Anders Blewett (D), SD 11, opened the hearing on SB 284, Generally revise law regarding insurance for legislators.

[EXHIBIT\(sts38a01\)](#)

Proponents' Testimony:

00:03:56 Mike Meloy, Attorney

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:33 Sen. Balyeat
00:07:22 Sen. Blewett
00:08:04 Chairman Shockley
00:08:10 Sen. Blewett

Closing by Sponsor:

00:08:25 Sen. Blewett

HEARING ON SB 328

Opening Statement by Sponsor:

00:09:25 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 328, Require PERS new hires to be in DC plan.

Proponents' Testimony: None

Opponents' Testimony:

00:15:45 Roxanne Minnehan, Executive Director, Montana Public Employee Retirement Board (PERS)

[EXHIBIT\(sts38a02\)](#)

[EXHIBIT\(sts38a03\)](#)

00:21:37 Tom Schneider, Montana Public Employee Retirement Association (MPERA)
00:25:39 Sen. Jent
00:25:51 Chairman Shockley
00:26:08 Sen. Jent
00:27:04 Tom Schneider (continue testimony)
00:27:59 John Forkan, American Federation of State County and Municipal Employees (AFSCME)
00:28:26 Diane Fladmo, MEA-MFT

00:31:08 Gabriel Kristal, Montana Nurses Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:52 Sen. Balyeat
00:33:49 Tom Schneider (MPERA)
00:34:34 Sen. Balyeat
00:36:26 Sen. Lewis
00:36:33 Sen. Windy Boy
00:37:13 Roxanne Minnehan (PERS)
00:38:51 Sen. Jent
00:41:48 Sen. Lewis
00:42:20 Sen. Balyeat
00:42:34 Chairman Shockley
00:42:45 Sen. Balyeat
00:43:19 Sen. Lewis

Closing by Sponsor:

00:43:41 Sen. Lewis

HEARING ON SB 321

Opening Statement by Sponsor:

00:46:50 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 321, Constitutional amendment modifying residency reqs for legislative candidates.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:50:49 Jennifer Hensley, Commission of Political Practices

Questions from Committee Members and Responses:

00:51:11 Sen. Mowbray
00:51:42 Sen. Balyeat
00:52:27 Chairman Shockley

Closing by Sponsor:

00:52:43 Sen. Balyeat

HEARING ON SB 257

Opening Statement by Sponsor:

00:54:13 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 257, Referendum to revise election laws.

[EXHIBIT\(sts38a04\)](#)

01:00:14 Sen. Windy Boy left the hearing.

Proponents' Testimony: None

Opponents' Testimony:

01:01:53 Linda McCulloch, Montana Secretary of State

[EXHIBIT\(sts38a05\)](#)

[EXHIBIT\(sts38a06\)](#)

Informational Testimony:

01:04:46 Jim Fleshman, New Majority Education Fund

Questions from Committee Members and Responses:

01:05:45 Sen. Blewett

01:06:13 Sen. Balyeat

01:07:08 Sen. Jent left the hearing.

01:07:16 Chairman Shockley

01:07:38 Sen. Balyeat

Closing by Sponsor:

01:07:38 Sen. Balyeat

EXECUTIVE ACTION ON SB 311

01:10:22 **Motion:** Sen. Blewett moved that **SB 311 DO PASS.**

Discussion:

01:11:59 Rachel Weiss, LSD

01:12:13 Sen. Balyeat

01:12:20 Rachel Weiss

01:12:46 **Motion:** Sen. Balyeat moved that **SB 311 BE AMENDED.**

[EXHIBIT\(sts38a07\)](#)

[EXHIBIT\(sts38a08\)](#)

Discussion:

01:12:54 Rachel Weiss
01:13:26 Sen. Arthun
01:13:46 Chairman Shockley

01:14:12 **Vote:** Motion carried unanimously by voice vote. Sen. Jent and Sen. Windy Boy voted by proxy.

01:14:30 **Motion:** Sen. Blewett moved that **SB 311 DO PASS AS AMENDED.**

Discussion:

01:14:42 Sen. Balyeat
01:15:23 Rachel Weiss
01:15:46 Chairman Shockley
01:15:56 Sen. Blewett
01:16:00 Sen. Jent entered the hearing.
01:16:42 Chairman Shockley
01:17:58 Sen. Jent
01:18:39 Chairman Shockley
01:18:51 Sen. Jent
01:18:54 Chairman Shockley
01:19:35 Sen. Blewett
01:20:32 Rachel Weiss
01:21:26 Sen. Balyeat
01:21:42 Sen. Blewett
01:21:52 Chairman Shockley
01:22:14 Sen. Balyeat
01:22:48 Sen. Blewett
01:23:19 Chairman Shockley
01:23:30 Sen. Windy Boy entered the hearing.
01:24:11 Sen. Blewett
01:24:55 Chairman Shockley
01:24:59 Rachel Weiss
01:25:18 Sen. Balyeat
01:26:56 Sen. Jent
01:28:38 Chairman Shockley

01:29:50 **Vote:** Motion carried 7-1 by voice vote with Sen. Balyeat voting no.

01:29:58 Sen. Balyeat left the hearing.

EXECUTIVE ACTION ON SB 113

01:31:13 **Motion:** Sen. Jent moved that **SB 113 DO PASS AS AMENDED.** (Previously amended on 2/11/2011)

Discussion:

01:31:31 Sen. Jones

[EXHIBIT](#)(sts38a09)

01:32:50 **Motion:** Sen. Jent moved that **SB 113 DO PASS AS AMENDED.**

Discussion:

01:32:57 Chairman Shockley

01:33:17 Sen. Jent

01:34:25 **Vote:** Motion carried unanimously by voice vote. Sen. Balyeat voted by proxy.

EXECUTIVE ACTION ON SB 291

Discussion:

01:34:50 Rachel Weiss

01:34:56 Chairman Shockley

01:35:21 **Motion:** Sen. Blewett moved that **SB 291 DO PASS.**

Discussion:

01:35:29 Chairman Shockley

01:35:40 **Motion:** Sen. Blewett moved that **SB 291 BE AMENDED.**

[EXHIBIT](#)(sts38a10)

Discussion:

01:35:48 Rachel Weiss

01:36:01 Sen. Balyeat entered the hearing.

01:37:00 Sen. Jones

01:37:19 Sen. Mowbray

01:38:01 Chairman Shockley

01:38:05 Rachel Weiss

01:38:37 Sen. Balyeat

01:40:14 Sen. Jones

01:41:45 Chairman Shockley

01:41:57 Sen. Blewett

01:43:35 Chairman Shockley

01:43:40 Sen. Balyeat

01:45:09 Sen. Jent

01:46:51 Chairman Shockley

01:48:29 **Vote:** Motion failed 2-6 by voice vote with Sen. Balyeat and Sen. Blewett voting aye.

Discussion:

01:48:58 Sen. Jones
01:50:47 Chairman Shockley
01:52:22 Rachel Weiss
01:52:29 Chairman Shockley
01:52:42 Sen. Blewett

01:53:21 **Motion:** Sen. Blewett moved that **SB 291 BE TABLED.**

Discussion:

01:53:22 Chairman Shockley
01:53:42 **Vote:** Motion failed 3-5 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting aye.

01:54:28 Sen. Blewett **WITHDREW THE DO PASS MOTION.**

Discussion:

01:54:35 Chairman Shockley
01:55:15 Sen. Blewett
01:55:29 Sen. Mowbrey
01:56:06 Chairman Shockley

EXECUTIVE ACTION ON SB 284

01:56:27 **Motion:** Sen. Blewett moved that **SB 284 DO PASS.**

01:57:01 **Motion:** Sen. Blewett moved that **SB 284 BE AMENDED.**
EXHIBIT(sts38a11)

Discussion:

01:57:20 Sen. Blewett
01:57:31 Rachel Weiss
01:58:06 Sen. Blewett

01:58:14 **Vote:** Motion carried unanimously by voice vote.

01:58:35 **Motion:** Sen. Blewett moved that **SB 284 DO PASS AS AMENDED.**

Discussion:

02:00:06 Sen. Balyeat
02:02:44 Sen. Arthun
02:02:56 Sen. Balyeat
02:03:48 Sen. Arthun
02:03:54 Sen. Jones

02:05:56 Sen. Balyeat left the hearing.

02:06:04 Sen. Windy Boy

02:06:40 Chairman Shockley

02:06:44 Sen. Windy Boy

02:06:56 Sen. Jent

02:07:43 Sen. Blewett

02:09:12 Chairman Shockley

02:09:42 Sen. Mowbrey

02:10:14 Chairman Shockley

02:10:38 **Vote:** Motion carried 7-1 by voice vote with Sen. Jent voting no. Sen. Balyeat voted by proxy.

ADJOURNMENT

Adjournment: 5:45 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT([sts38aad.pdf](#))